



WILLIAM T FUJIOKA  
Chief Executive Officer

## County of Los Angeles CHIEF EXECUTIVE OFFICE

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April 19, 2010

To: Supervisor Gloria Molina, Chair  
Supervisor Mark Ridley-Thomas  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe  
Supervisor Michael D. Antonovich

From: William T Fujioka  
Chief Executive Officer

A handwritten signature in black ink, appearing to read "W. T. Fujioka", is written over the printed name and title.

**MOTION TO SUPPORT AB 1844 (FLETCHER), WHICH WOULD INCREASE PENALTIES FOR SEX CRIMES AGAINST CHILDREN, LENGTHEN THE TIME SEX OFFENDERS REMAIN ON PAROLE WITH GLOBAL POSITIONING SYSTEM (GPS) MONITORING, AND ESTABLISH SAFE ZONES TO LIMIT WHERE OFFENDERS SPEND THEIR TIME (ITEM NO. 64-D, AGENDA OF APRIL 20, 2010)**

Item No. 64-D on the April 20, 2010 Agenda is a motion by Supervisor Knabe to support AB 1844 (Fletcher), which would increase penalties for sex crimes against children, lengthen the time sex offenders remain on parole with GPS monitoring, establish safe zones to limit where offenders spend their time, and to notify the County's Legislative Delegation of the Board's support for this measure.

Under existing law, rape, sodomy, oral copulation, and sexual penetration accomplished against the victim's will is punishable by imprisonment in State prison for specified sentences. AB 1844 as amended on April 13, 2010, would increase punishment for several crimes including rape, sodomy, oral copulation, and sexual penetration against a minor. The bill would also prohibit registered sex offenders from entering into parks where children gather, require lifetime GPS monitoring under specific circumstances, and extend parole for child sexual abuse felons.

According to the author's office, AB 1844, also known as Chelsea's Law, is a legislative proposal targeted specifically at the worst sex offenders and violent sexual predators who attack children. The author states that this legislation would ensure that those who commit a crime of this nature would be kept from engaging in these acts upon release,

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and those who commit the worst violent crimes against children would be sentenced to life in prison without parole. The author indicates that the major objectives of AB 1844 are: 1) require sentences of life without parole for repeat convicted sex offenders who commit serious sexual assaults against minor children; 2) lifetime parole with active GPS monitoring for those convicted of felony sex crimes involving physical contact with children; and 3) require registered sex offenders to obtain written permission prior to entering any park where children gather. Failure to obtain permission would result in a misdemeanor offense. AB 1844 does not include funding to cover costs for lifetime GPS monitoring and the lifetime incarceration for violent sex offenders.

According to the Public Defender's (PD) Office, the death of Chelsea King is a tragedy; however, it is incumbent upon California legislators to use scarce resources wisely. Locking up every child molester for life without the possibility of parole will not create a safer California. To the contrary, this measure will tie up already scarce resources thereby preventing law enforcement from focusing on individuals who pose a risk to society. In addition, the PD indicates that rape and sexual assault are a serious problem and deserve critical and analytical attention. However, evidence-based research has shown that all sex offenders are not the same and blanket approaches such as the one envisioned in this measure do not achieve the desired effect of making society safer. For these reasons the PD's Office recommends that the Board oppose AB 1844.

The Sheriff's Department notes that AB 1844 would have significant State costs for the housing of inmates for longer periods of time, but is supportive of the bill in concept. The Sheriff's Department is in the process of analyzing this proposal, and it has not taken an official position.

The District Attorney's Office has not taken a position on this measure.

**Because there is no specific Board policy related to increasing penalties for sex crimes against children, lengthen the time sex offenders remain with GPS monitoring, and establishing safe zoning to limit where sex offenders spend their time, support for AB 1844 is a matter of Board policy determination.**

AB 1844 is scheduled for a hearing in the Assembly Public Safety Committee on April 20, 2010. Currently, there is no registered support or opposition for this measure.

WTF:RA  
MR:RM:lm

c: Executive Office, Board of Supervisors  
County Counsel